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PRO

# UTILITY PATENT APPLICATION TRANSMITTAL

## (Small Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.  
P-168-1

Total Pages in this Submission

TO THE ASSISTANT COMMISSIONER FOR PATENTS

Box Patent Application  
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

Method for Inhibiting Neoplastic Cells with Benzimidazole Derivatives

and invented by:

Rift Pamukcu and Gary A. Piazza

1036 U.S. PRO  
10/003868  
10/24/01

If a CONTINUATION APPLICATION, check appropriate box and supply the requisite information:

Continuation  Divisional  Continuation-in-part (CIP) of prior application No.: 09/199,864

Which is a:

Continuation  Divisional  Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Which is a:

Continuation  Divisional  Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Enclosed are:

### Application Elements

1.  Filing fee as calculated and transmitted as described below
2.  Specification having 90 pages and including the following:
  - a.  Descriptive Title of the Invention
  - b.  Cross References to Related Applications (*if applicable*)
  - c.  Statement Regarding Federally-sponsored Research/Development (*if applicable*)
  - d.  Reference to Microfiche Appendix (*if applicable*)
  - e.  Background of the Invention
  - f.  Brief Summary of the Invention
  - g.  Brief Description of the Drawings (*if drawings filed*)
  - h.  Detailed Description
  - i.  Claim(s) as Classified Below
  - j.  Abstract of the Disclosure

**UTILITY PATENT APPLICATION TRANSMITTAL**  
**(Small Entity)**

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

Docket No.  
P-119-CIP-4

Total Pages in this Submission

**Application Elements (Continued)**

3.  Drawing(s) *(when necessary as prescribed by 35 USC 113)*  
a.  Formal      b.  Informal      Number of Sheets \_\_\_\_\_
4.  Oath or Declaration  
a.  Newly executed *(original or copy)*       Unexecuted  
b.  Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional application only)*  
c.  With Power of Attorney       Without Power of Attorney  
d.  DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application,  
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5.  Incorporation By Reference *(usable if Box 4b is checked)*  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under  
Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby  
incorporated by reference therein.
6.  Computer Program in Microfiche
7.  Genetic Sequence Submission *(if applicable, all must be included)*
  - a.  Paper Copy
  - b.  Computer Readable Copy
  - c.  Statement Verifying Identical Paper and Computer Readable Copy

**Accompanying Application Parts**

8.  Assignment Papers *(cover sheet & documents)*
9.  37 CFR 3.73(b) Statement *(when there is an assignee)*
10.  English Translation Document *(if applicable)*
11.  Information Disclosure Statement/PTO-1449       Copies of IDS Citations
12.  Preliminary Amendment
13.  Acknowledgment postcard
14.  Certificate of Mailing

First Class     Express Mail *(Specify Label No.):* EL037271196US

**UTILITY PATENT APPLICATION TRANSMITTAL**  
**(Small Entity)**

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

Docket No.  
P-168-1

Total Pages in this Submission

**Accompanying Application Parts (Continued)**

15.  Certified Copy of Priority Document(s) *(if foreign priority is claimed)*
16.  Small Entity Statement(s) - Specify Number of Statements Submitted: 1
17.  Additional Enclosures *(please identify below):*

**Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)**

18.  Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1)., Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

**Warning**

*An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.*

**UTILITY PATENT APPLICATION TRANSMITTAL**  
**(Small Entity)**

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

Docket No.  
P-168-1

Total Pages in this Submission

**Fee Calculation and Transmittal**

**CLAIMS AS FILED**

| For  | #Filed                   | #Allowed | #Extra | Rate                    | Fee             |
|--|--------------------------|----------|--------|-------------------------|-----------------|
| Total Claims                                   | 6                        | - 20 =   | 0      | x \$9.00                | \$0.00          |
| Indep. Claims                                  | 3                        | - 3 =    | 0      | x \$40.00               | \$0.00          |
| Multipl Dependent Claims (check if applicable) | <input type="checkbox"/> |          |        |                         | \$0.00          |
|  |                          |          |        | <b>BASIC FEE</b>        | <b>\$355.00</b> |
| OTHER FEE (specify purpose)                    |                          |          |        |                         | \$0.00          |
|  |                          |          |        | <b>TOTAL FILING FEE</b> | <b>\$355.00</b> |

A check in the amount of \$355.00 to cover the filing fee is enclosed.

The Commissioner is hereby authorized to charge and credit Deposit Account No. 500352 as described below. A duplicate copy of this sheet is enclosed.

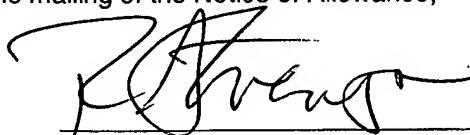
Charge the amount of \_\_\_\_\_ as filing fee.

Credit any overpayment.

Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.

Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: October 24, 2001



*Signature*

Robert W. Stevenson - 31064  
Cell Pathways, Inc.  
702 Electronic Drive  
Horsham, PA 19044

cc:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Pamukcu et al. )

For: Method of Inhibiting Neoplastic Cells with Benzimidazole Derivatives )

**CERTIFICATE OF MAILING**

I certify that the following were deposited with the U.S. Postal Service "Express Mail No. EL037271196US to Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and was addressed to the Assistant Commissioner for Patents, Washington D.C., 20231:

1. Petition for Extension of Time;
2. Check in the amount of \$445.00 for the extension fee;
3. Patent Application Transmittal form;
4. Preliminary Amendment;
5. Patent Application entitled " Method of Inhibiting Neoplastic Cells with Benzimidazole Derivatives " (90 pages);
6. Declaration and Power of Attorney;
7. Verified Statement Claiming Small Entity Status; (37 CFR 1.9 (f) and 1.27 (c);
8. Check in the amount of \$355.00 for filing fees;
9. PTO-Forms 1449;
10. Certificate of Mailing;
11. Acknowledgement Postcard.

Date: October 24, 2001

*Carolyn Roberts*

Send all correspondence to: Robert W. Stevenson - 31064  
Cell Pathways, Inc.  
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(215) 706-3800